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**Developing GNSS Application Industry
and understanding the Legal Issues
Involved**

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Outline

- Introduction
- Issue of Liability and GNSS
- GNSS and Intellectual Property Rights

Introduction

- System & Structure
- Types of Services
- General Legal Principle Associated with GNSS

System & Structure

- GPS, GLONASS, Galileo, Compass, GZSS etc
(and other future system)
- Legal Regime: Defence Control & Civilian Control
- Constituents of GNSS: Space, Ground and Service Segments

Types of Services

- Open Service Vs. Authorised Service
- Proposed Services by Galileo
 - Open Service
 - Commercial Service
 - Safety of Life
 - Public Regulated Service
 - Search and Rescue Service

General Legal Principles

- Universal Accessibility
 - Article 15 of the Chicago Convention
 - Article 1 of the Outer Space Treaty
- Continuity & Quality
 - Article 89 of the Chicago Convention

Issue of Liability and GNSS

- Signal in Space (SIS)
- Third Party Liability
- Liability in Contract
- Interoperability and Liability
- Product Liability

Liability Issues (contd)

- Signal in Space
 - Highest uncertainty and risk exposure
 - Not a space 'object' as per 1972 Liability Convention
- Third Party Liability
 - Space Segment- regulated by 1972 Liability Convention and 1967 Outer Space Treaty
 - Ground Segment- applicable law of the territory where the damage occurs
- Contractual Liability
 - National law

Liability Issues (contd)

- Interoperability and liability
 - Damages
 - Origin or Source
 - Failure in up-linking or down linking
 - Liability Convention do not foresee such kind of damages
 - National laws and courts can be opted
 - End user is not able to identify the faulted GNSS entity

Liability Issues (contd)

■ Product Liability

- Black's Law Dictionary -The legal liability of manufacturers and sellers to compensate buyers, users, and even bystanders, for damages or injuries suffered because of defects in goods purchased
- Article 4 of the Hague Conference on Private International Law and Product Liability- National law
- 1971 Hague Convention on Private International Law and Traffic Accidents- National Law

GNSS and IPR

- Introduction of IPR in GNSS
- Application of IPR in GNSS
 - Depends on different segments
 - Uncertainty between 'first to file' and first to invent'
- Third Party IPR and Development of Application Industry
 - First Stage- search of relevant patent
 - Second Stage- financial relevance of patent
- Enforcement of IPR